IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

WP(C).No. 25759 of 2007(N)

PETITIONER:

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1. VARGHESE ABRAHAM ALIAS KUNJUKUNJU,
   AGED 73 YEARS, S/O.VARGHESE,
   MAMPATTAKIZHAKKETHIL, ALA SOUTH MURI,
   CHENGANNUR.

2. M.K.V.CHERIYAN ALIAS KUNJUMON,
   AGED 69 YEARS, S/O.VARGHESE,
   MAMPATTAKIZHAKKETHIL, ALA SOUTH MURI,
   CHENGANNUR.

BY ADV. SRI.N.ASHOK KUMAR

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
   SECRETARY, DEPARTMENT OF IRRIGATION &
   WATER SUPPLY, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR, ALAPPUZHA.

3. KERALA STATE WATER AUTHORITY,
   REPRESENTED BY SECRETARY, OFFICE OF THE K.S.W.A.,
   THIRUVANANTHAPURAM.

4. THE EXECUTIVE ENGINEER,
   KERALA STATE WATER AUTHORITY,
   ALAPPUZHA.

5. THE DIRECTOR OF PANCHAYATH,
   THIRUVANANTHAPURAM.

6. THE CHERIYANADU GRAMA PANCHAYATH,
   REPRESENTED BY ITS SECRETARY,
   CHERIYANAD P.O.CHENGANNUR.

7. V.K.VASUDEVAN, PRESIDENT,
CHERIYANADU GRAMA PANCHAYATH,
CHERIYANAD PO CHENGANNUR.

BY GOVERNMENT PLEADER SRI.K.J.MUHAMMED ANZAR

BY SC M.DINESH, (KWA)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.25759/2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1; COPY OF RECEIPT DATED 2.8.07 IN RESPECT OF 1ST PETITIONER'S PROEPRTY.

EXT.P2; COPY OF TAX RECEIPT DATED 15.11.2006 IN RESPECT OF 2ND PETITIONER'S PROEPRTY.

ET.P3; COPY OF NOTICE DATED 20.7.07 ISSUED BY 7TH RESPONDENT.

EXT.P4; COPY OF REPRSENTATION DATE 17.8.2007 OF PETITIONERS DATED 17.8.2007 TO RESPONDENTS 2,4 5 AND MINISTER OF IRRIGATION.

EXT.P5; COPY OF REPRESENTATION DATED 20.8.2007 TO THE 3RD RESPONDENT.

/TRUE COPY/

P.A. TO JUDGE.

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 25759 of 2007

Dated this the 12th day of September , 2007

JUDGMENT

Having regard to the averments in the writ petition and the submissions addressed before me by Sri.N.Ashok Kumar, the learned counsel for the petitioner, Sri.M.Dinesh the learned Standing Counsel for the Water Authority and Sri.K.J.Muhammed Anzar, the learned Government Pleader, I am of the view that it is not necessary for this court to examine the merits of the various grounds raised.

2. Ext.P5 representation is seen pending before the Secretary, Kerala Water Authority (3rd respondent). The Secretary, Kerala State Water Authority will take up Ext.P5, hear one of the petitioners on the various grounds raised in this writ petition and take a correct and just decision on Ext.P5. Decision as directed above will be taken at the earliest and at any rate within two months of receiving a copy of this judgment. Till such time, as Ext.P5 is decided by the 3rd respondent, the interim order dated 23.8.2007 passed by this court will continue.

PIUS C. KURIAKOSE,

JUDGE.

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